# IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

## SPECIAL CIVIL APPLICATION No. 13167 of 1994

**For Approval and Signature:**

**HON'BLE MR JUSTICE KS JHAVERI**

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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**GENERALSECRETARY & 2 - Petitioner(s)**

**Versus**

**COLLECTOR & 2 - Respondent(s)**

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**Appearance :**

MR RV DESAI for Petitioner No(s).: 1,2.

MR KL PANDYA AGP for Respondent No(s).: 1.
MR YV SHAH for Respondent No(s).: 2.

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**CORAM :HON'BLE MR JUSTICE KS JHAVERI**

**Date : 05/07/2005**

**ORAL JUDGMENT**

1.0 The petitioners have prayed to issue appropriate writ for the recovery of the accrued legal dues of the

petitioners from the respondents.

2.0 While admitting the matter on 18.04.1995, this Court has passed the following order;

> "Rule. Mr. Ghariniya learned AGP waives service on behalf of respondent no.1. In view of the fact that this Court by its order dated 5th April, 1995 has rejected the petition filed by the municipality and confirmed the order passed by the Labour Court, the petitioners are entitled to get interim relief as prayed for in his petition. This is particularly in view of the fact that respondent no.2 has refused to waive service of rule today.
>
> In view of this, ad-interim relief as prayed for in para-10(A-1) is granted. Respondent no.1 shall take prompt action for recovery of the dues of the petitioner within four weeks from today. Request for stay of this order is rejected."

3.0 In above view of the matter, it is clear that this petition was allowed by the aforesaid interlocutory order. Hence, nothing remains to be done in the matter. The petition stands disposed of accordingly. Rule is made absolute to the aforesaid extent with no order as to costs.

(K. S. JHAVERI, J.)

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